

LAW OFFICES  
OF  
**LESTER W. SPILLANE**

1040 MAIN ST., SUITE 208

P.O. BOX 670

NAPA, CALIFORNIA 94559

(707) 255-2855

FAX (707) 258-1956

**ORIGINAL**

**RECEIVED**

**OCT 14 1992**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

October 9th, 1992

93-155

Dennis Williams, Chief  
FM Branch  
Audio Services Division  
Mass Media Bureau  
FEDERAL COMMUNICATIONS COMMISSION  
1919 "M" Street, N.W., Room 332  
Washington, D.C. 20554

**OCT 13 2 55 PM '92**  
**AUDIO SERVICES**  
**DIVISION**

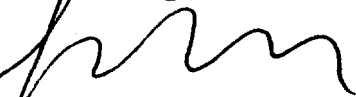
Re: KCVI(FM), Blackfoot, Idaho  
BAPH-920917GO

Dear Sir:

In response to your letter of September 29, 1992 (Reference No. 1800BB-LLS), enclosed in triplicate is an amendment of the above-described application, incorporating a revised Exhibit 1-A, which provides the detailed information demonstrating compliance with the new multiple ownership rules, called for by you.

Should there be any further questions concerning the Assignee's part of the Application, please communicate with the undersigned.

Sincerely,



Lester W. Spillane  
Attorney for Western Communications

LWS:bg

cc: Harry C. Martin, Esquire

RECEIVED

OCT 14 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

File No. BAPH-920917GO  
Western Communication, Inc.  
Blackfoot, Idaho (KCVI-FM)

**AMENDMENT TO APPLICATION FOR  
CONSENT TO ASSIGNMENT OF BROADCAST  
STATION CONSTRUCTION PERMIT**

The Assignee's part of the above-captioned application is hereby amended so as to incorporate the attached revised Exhibit 1-A. The Exhibit has been supplemented to provide the detailed information called for by the Commission's letter of September 29, 1992.

Respectfully submitted,

WESTERN COMMUNICATIONS, INC.

By M. Kent Frandsen  
M. Kent Frandsen, President

Dated: October 9, 1992

WESTERN COMMUNICATIONS, INC.  
BLACKFOOT, IDAHO (KCVI-FM)  
EXHIBIT 1-A (REVISED)

EXHIBIT TO DEMONSTRATE  
COMPLIANCE WITH REVISED  
OWNERSHIP RULES

The proposed assignee of KCVI-FM is the licensee of Radio Stations KICN(AM), Idaho Falls and KECN(AM), KLCE(FM), Blackfoot, Idaho. Neither the Assignee nor any party hereto brokers any broadcast time.

Grant of the present Application will be consistent with the local Ownership Rules adopted in MM Docket No. 91-140. As demonstrated by the showing prepared by Dataworld, attached hereto, the market here involved has more than fifteen commercial stations (including those now licensed to Assignee, and that to be acquired). Although, as previously stated, Arbitron data was not available for this market, a survey by Willhight Research, Inc. (attached hereto) shows the countable audience share of the assignee, as 15.9%.

AM Database Retrieval Program

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use of the said information.

Job Title: AM STATIONS THAT OVERLAP  
Call sign(s) selected: KRCD KSEI KWIK KZBQ KID KUPI  
Authorization(s) selected: LIC  
  
Database searched: Dataworld 10/06/92  
Records processed: 14326  
Records retrieved: 6

FM Database Retrieval Program

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injuries or damages (including consequential) which might result from  
use of the said information.

Job Title: FM STATIONS THAT OVERLAP  
Call sign(s) selected: KRSS KSEI KPKY KZBQ KID KFTZ KUPI  
Docket 84-231 allocations will be included  
Database searched: Dataworld 10/06/92  
Records processed: 27218  
Records retrieved: 7

WESTERN COMMUNICATIONS, INC.  
LOGAN, UT

Page 1  
October 7, 1992

AM Database listing

TITLE: AM STATIONS THAT OVERLAP

DB: DW 10/06/92

City of license Licensee name	St rec.	Call date	Aut R2cl	Hr FCC	Cls file no.	Freq Oper.	D-kW N-kw	DRMS NRMS	Latitude Longitude
=====									
IDAHO FALLS	ID	KUPI	LIC	U	III	980 DA-2	5	694	43-31-23
RAY GROTH OIL COMPANY, INC.		021291	B		BL-830308AA		1	308.6	112-00-36
Format: STD; Network: ABC AP; Air date: 11/09/57; Affiliated with KUPI(FM)									
CHUBBUCK	ID	KRCD	LIC	U	IV	1490 ND	1	241	42-55-38
GOOD TIMES INC		102987	C		BL-801219AB		1	251.1	112-30-03
Format: OLD; Air date: 1981; Was KKLB 02/04/87; Affiliated with KRSS(FM)									
IDAHO FALLS	ID	KID	LIC	U	III	590 DA-N	5	301	43-33-35
SIMMONS FAMILY INC		111386	B				1	305.8	111-55-15
Format: TLK; Network: CBS UPI; Air date: 1928; Affiliated with KID (FM)									
POCATELLO	ID	KSEI	LIC	U	III	930 DA-N	5	302.6	42-57-44
PACIFIC NW BCG CORP		072783	B				5	701.7	112-29-50
Format: AC; Network: MBS; Air date: 09/23/26; Affiliated with KSEI(FM)									
POCATELLO	ID	KWIK	LIC	U	IV	1240 ND	1	241	42-55-14
KWIK BCG CO INC		012877	C				1	292.9	112-27-16
Format: CW; Network: ABC; Air date: 09/46; Affiliated with KPKY(FM)									
POCATELLO	ID	KZBQ	LIC	D	III	1290 ND-D	1	341.2	42-57-28
IDAHO WIRELESS CORP		022086	B		BL-800616AF				112-25-46
Format: CW; Air date: 12/20/56; Affiliated with KZBQ(FM)									

WESTERN COMMUNICATIONS, INC.  
LOGAN, UT

Page 1  
October 7, 1992

FM Database listing

TITLE: FM STATIONS THAT OVERLAP

DB: DW 10/06/92

City of license Licensee name	St Call Auth	Chan FCC file no.	Rec date	H-kW H-m	V-kW V-m	Latitude longitude
----------------------------------	-----------------	----------------------	----------	-------------	-------------	-----------------------

CHUBBUCK	ID KRSS	252A	03/22/92	.15	.15	42-55-15
CALVARY CHAPEL OF COSTA MESA IN LIC	BLH-860708KA			411	411	112-20-44
Deletion proposed; ORDERED TO 253C2; Format: CHR; Air date: 11/10/84; Was KRCD -FM 11/01/91 per FCC release #170 dated 11/01/91; Affiliated with KRCD(AM)						

IDAHO FALLS	ID KID-FM	241C	07/16/92	100	100	43-29-51
SIMMONS FAMILY, INC.	LIC			457	457	112-39-50
Format: BTF; Network: NBC UPI; Air date: 05/01/65; Was KMXE 07/01/92 per FCC r elease #186 dated 07/06/92; Affiliated with KID (AM)						

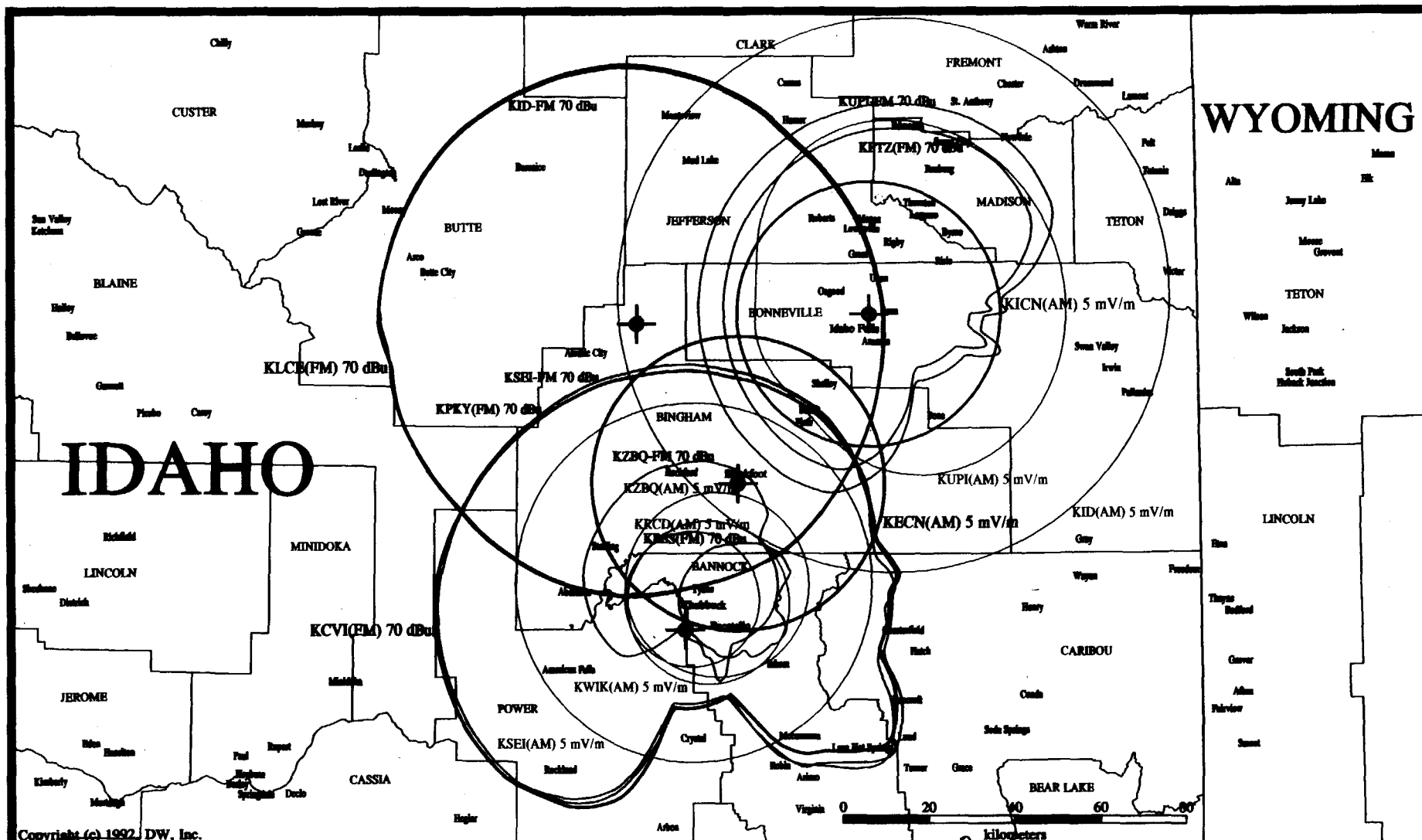
IDAHO FALLS	ID KUPI-FM	256C1	02/07/91	100	100	43-32-33
KUPI BROADCASTING, INC.	LIC	BLH-851101KB		176	176	111-53-04
Format: CW; Network: ABC; Air date: 08/16/75; Was KQPI-FM 03/25/88; Affiliated with KUPI(AM)						

IDAHO FALLS	ID KFTZ	277C1	05/03/88	50.1	50.1	43-32-34
EAGLE ROCK BROADCASTING CO INC	LIC	BLH-871103KC		177	177	111-53-07
Format: AOR; Network: NBC; Air date: 05/24/86						

POCATELLO	ID KZBQ-FM	229C2	04/15/87	38.0	38.0	42-57-28
IDAHO WIRELESS CORPORATION	LIC	BLH-810908AN		29	29	112-25-46
Format: CW; Air date: 12/27/69; Affiliated with KZBQ(AM)						

POCATELLO	ID KPKY	235C	05/10/88	100	100	42-52-26
MES W FOX	LIC	BLH-871117KD		306	306	112-30-47
Format: AC; Network: ABC; Air date: 08/18/75; Affiliated with KWIK(AM)						

POCATELLO	ID KSEI-FM	273C	06/28/88	100	100	42-51-57
PACIFIC NW BROADCASTING CORP	LIC	BLH-871216KF		312	312	112-30-46
Format: BTF; Air date: 04/01/78; Affiliated with KSEI(AM)						



Copyright (c) 1992, DW, Inc.

Title: KLCE/KECN/KICN Market Analysis

Prepared by DATAWORLD for Western Communications, Inc.

October 7, 1992

Map Center: 43-17-00 112-25-00

Scale = 1:900,000

# WILMIGHT RESEARCH, INC.

## AUDIENCE MEASUREMENT SURVEYS

13

### AVERAGE QUARTER HOUR SHARE (%)

Survey Area: Idaho Falls/ Pocatello/ Blackfoot, ID (SSA)

Date: Feb. 6 - April 1, 1992

Daypart: Monday-Sunday 6am-Mid.

	12+			18+			25 - 54		
	Male	Female	Per	Male	Female	Adult	Male	Female	Adult
KFTZ FM	9.5	9.9	9.7	6.2	5.1	5.7	4.5	5.5	4.9
KID AM	4.4	.5	2.6	4.9	.6	2.9	3.5	.4	2.2
KLCE FM	10.3	22.3	15.9	11.3	23.7	17.0	15.0	34.1	23.2
KRGE FM	2.8	4.1	3.4	3.1	4.5	3.7	4.4	5.3	4.8
KPKY FM	15.7	14.3	15.1	13.7	11.8	12.8	11.9	8.6	10.5
KSEI AM	3.2	.3	1.8	3.5	.4	2.1	3.5		2.0
KSEI FM	11.6	5.4	8.7	11.8	6.0	9.1	12.0	4.0	8.6
KUPI AM	2.5	3.7	3.0	2.8	4.2	3.4	.9	.5	.8
KUPI FM	15.7	14.8	15.3	16.4	16.9	16.7	16.6	13.8	15.4
KWIK AM	2.2	2.3	2.2	2.5	2.6	2.5	3.4	2.1	2.8
KZBQ FM	11.5	14.6	12.9	12.1	16.1	13.9	14.4	17.2	15.5
KRIC FM	4.3	2.3	3.3	4.7	2.6	3.8	4.1	2.5	3.4
Total AQH Per. (00)	102.8	89.9	192.7	92.4	78.6	171.0	64.8	48.1	112.9

Now  
KID  
FM

**WARNING:** The audience listening estimates and other information contained in this report are copyrighted. The unauthorized use of any of the contents of this report constitute copyright infringement which could subject the infringer to civil damages of up to \$50,000, criminal penalties of up to one year imprisonment and a \$10,000 fine, and costs and attorneys' fees pursuant to Sections 504, 505 and 506 of the Federal Copyright Act of 1976. Wilmight Research, Inc. has granted Subscribers a limited license to use the information contained in this report. Any person or entity that wishes to obtain a limited license to use this information may contact Wilmight Research, Inc. at the address listed in front of this report.

LAW OFFICES  
**REDDY, BEGLEY & MARTIN**  
1001 22<sup>ND</sup> STREET, N. W.  
SUITE 350  
WASHINGTON, D. C. 20037  
(202) 659-5700

DENNIS F. BEGLEY  
HARRY C. MARTIN  
MATTHEW H. MCCORMICK  
CHERYL A. KENNY  
ANDREW S. KERSTING

Stamp-in copy  
*Blackfoot owner -  
app B.6 ship*  
*[Signature]*  
EDWARD B. REDDY  
(1915-1990)  
FACSIMILE NUMBER  
(202) 659-5711

October 14, 1992

RECEIVED

Ms. Donna R. Searcy, Secretary  
Federal Communications Commission  
Washington, DC 20554

OCT 14 1992

Federal Communications Commission  
Office of the Secretary

Re: Station KCVI(FM)  
Blackfoot, Idaho  
File No. BAPH-920917GO

*Rec'd 10/22/92  
RL*

Dear Ms. Searcy:

Transmitted herewith in triplicate on behalf of Richard P. Bott, II, is an amendment to the Assignor's section of the above-referenced application. The amendment consists of cost verification information required under Section 73.3597(c) of the Commission's rules.

Should any question arise concerning this amendment, please communicate with the undersigned.

Very truly yours,

HARRY C. MARTIN  
Counsel for  
RICHARD P. BOTT, II

HCM/prp

cc (w/encl.): Lester W. Spillane, Esquire  
David D. Oxenford, Jr., Esquire

bc (w/encl.): Mr. Richard P. Bott, II

STATEMENT OF RICHARD P. BOTT, II

This statement is given in support of my claim for reimbursement of expenses in connection with preparation, filing and prosecution of my application for a new FM station at Blackfoot, Idaho.

The attached itemization and supporting materials, prepared by me or under my direction truly reflect those expenses.

The agreement included in this application is the only agreement among the parties with respect to the sale of the construction permit for Station <sup>K</sup>WCVI. No other consideration has been promised or paid in connection with the proposed assignment.

Certified to under penalty of perjury under the laws of the United States this 13th day of October, 1992.

A handwritten signature in dark ink, appearing to read 'Richard P. Bott, II', is written over a horizontal line.

Richard P. Bott, II

**EXPENSES RELATING TO THE**  
**BLACKFOOT, IDAHO CONSTRUCTION PERMIT**

**ENGINEERING EXPENSES:**

Ron Grandmaison (see checks)	\$1,989.00	
Munn Engineering (see statement)	6,573.21	✓
Richard Biby (see checks)	1,250.00	
Tabcon (see checks)	1,739.00	
Markley Engineering (see checks)	<u>62.50</u>	

TOTAL ENGINEERING EXPENSES

\$11,613.71

**LEGAL EXPENSES:**

Wilner & Scheiner (see statement)	\$46,278.40	✓
Semmes, Bowen & Semmes (see statement)	7,296.55	✓
Reddy, Begley & Martin (see statement)	<u>23,042.75</u>	✓

TOTAL LEGAL EXPENSES

76,617.70

**OTHER EXPENSES:**

FCC Hearing Fee (see check)	\$ 6,000.00	
Publication Expenses (see checks)	131.99	
(Blackfoot Morning News)	<u>          </u>	

TOTAL OTHER EXPENSES

6,131.99

TOTAL EXPENSES DOCUMENTED

\$94,363.40

CERTIFICATION

Now comes the undersigned, E. Harold Munn, Jr., who states and deposes as follows:

1. That he is President of E. Harold Munn, Jr. & Associates, Inc., a Broadcast Engineering Consulting firm, with offices at 100 Airport Drive, Coldwater, Michigan.

2. That the firm was retained by Richard P. Bott, II, to prepare an application for a new FM Broadcast Station at Blackfoot, Idaho. This preparation included two separate site applications and preparation of competitive application analyses and exhibits.

3. That the total charges for services and expenses in connection with the prosecution of this application were \$6,573.21.

4. That these charges were customary and represented prudent expenditures in the prosecution of that application.

Further deponent saith not.

  
E. Harold Munn, Jr.

October 8, 1991

LAW OFFICES  
**REDDY, BEGLEY & MARTIN**

1001 22ND STREET, N. W.

SUITE 350

WASHINGTON, D. C. 20037

(202) 659-5700

October 9, 1992

DENNIS F. BEGLEY  
HARRY C. MARTIN  
MATTHEW H. MCCORMICK  
CHERYL A. KENNY  
ANDREW S. KERSTING

EDWARD B. REDDY  
(1915-1990)

FACSIMILE NUMBER  
(202) 659-5711

Mr. Richard P. Bott, II  
Bott Broadcasting Company  
8801 East 63rd St.  
Kansas City, MO 64133

Re: Blackfoot, Idaho, Legal Expenses

Dear Rich:

Pursuant to your request, we have reviewed our billing statements pertaining to the legal fees and expenses you incurred in connection with the preparation, filing and prosecution of your application for a new FM station at Blackfoot, Idaho. The total of these fees and expenses amounted to \$23,042.75. You may represent to the FCC that this amount represented reasonable and prudent expenditures on your part in connection with the preparation, filing and prosecution of your Blackfoot application.

Should any question arise concerning this matter, please let us know.

Very truly yours,

  
HARRY C. MARTIN

HCM/sbs

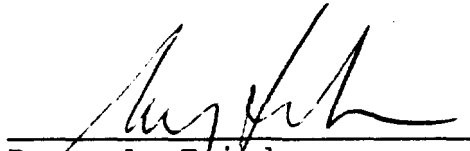
DECLARATION

I, Barry A. Friedman, a partner in the law firm of Wilner & Scheiner, in wind-up, do declare, under penalty of perjury, that the following is true and correct:

1. The law firm of Wilner & Scheiner represented Richard P. Bott, II, from October 27, 1987 to May 31, 1990 in connection with the advocacy of the grant of a construction permit for and the steps necessary to place a new FM station in operation at Blackfoot, Idaho.

2. In connection with the services provided, Richard P. Bott, II, has paid this firm the sum of \$46,278.40.

Executed at Washington, D. C. on the 8<sup>th</sup> day of October, 1992.

  
\_\_\_\_\_  
Barry A. Friedman

DECLARATION

I, Barry A. Friedman, a partner in the law firm of Semmes, Bowen & Semmes, do declare, under penalty of perjury, that the following is true and correct:

1. The law firm of Semmes, Bowen & Semmes has represented Richard P. Bott, II, from June 1, 1990 to the present in connection with the advocacy of the grant of a construction permit for and the steps necessary to place a new FM station in operation at Blackfoot, Idaho.

2. In connection with the services provided, Richard P. Bott, II, has paid this firm the sum of \$7,296.55.

Executed at Washington, D. C. on the 8<sup>th</sup> day of October, 1992.

  
Barry A. Friedman



12026595711 P.03

[illegible]

**BOTT BROADCASTING WEST, INC.**

1001 E. 21ST STREET, SIOUX FALLS, SD 57108  
HYDROPHONIC, MO. 64052

PAY TO THE ORDER OF John

One Thousand One Hundred Fifty Six & 9/100 DOLLARS

**North Valley Bank**  
100 North St., Pasadena, CA 91101

001143 01211323940 01-643401 0000116690

**LOTT BROADCASTING WEST, INC.**  
816/252-8050  
10841 E. 28TH ST  
INDEPENDENCE, MISSOURI 64052

12/9 1991 18-18/1010

1028

PAY TO THE ORDER OF D. L. Markley \$ 62.50

Sixty Two and 50/100 DOLLARS

Mercantile Bank of Kansas City  
Kansas City, Missouri 64108

**MERCANTILE BANK**

FOR Blackfoot Id. Richard P. Bott II

⑆101000187⑆ 530 0102394⑈ 1028 ⑈0000006250⑈

**RICHARD P. BOTT II**  
8803 BUCKINGHAM LN. 353-9038  
KANSAS CITY, MO. 64138

12 876

06003006 7/21/87

Three Thousand and 00/100

**MERCANTILE BANK**

Blackfoot Id. Payee Richard P. Bott II

⑆101001547⑆ 0678 0047042⑆ ⑈0000000000⑈

**RICHARD P. BOTT II**  
8803 BUCKINGHAM LN. 353-9038  
KANSAS CITY, MO. 64138

702

10/24/87 8-21/90

⑆101003900⑆ 0787 ⑈85⑈

Eighty five and 00/100

**MERCANTILE BANK**

Blackfoot Id. Payee Richard P. Bott II

⑆101000187⑆ 0678 0047042⑆ ⑈000000850⑈

**RICHARD P. BOTT, II**  
8803 BUCKINGHAM LN 353-9038  
KANSAS CITY, MO 64138

06-81 1067 18-18(7) 1010

10/7 1992

PAY TO THE ORDER OF The Morning News \$ 46.95

Forty six and 95/100 DOLLARS

Mercantile Bank of Kansas City  
Kansas City, Missouri 64108

**MERCANTILE BANK**

Blackfoot Richard P. Bott II